



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: October 30, 2018

Comment Deadline: November 29, 2018

Corps Action ID Number: SAW-2005-00748

The Wilmington District, Corps of Engineers (Corps) received an application from the United States Coast Guard seeking Department of the Army authorization to modify an existing authorization in order to conduct new and maintenance dredging within the existing mooring basin, associated with the US Coast Guard Sector Field Office at Fort Macon, in Carteret County, North Carolina.

Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at:

<http://www.saw.usace.army.mil/Missions/RegulatoryPermitProgram.aspx>

Applicant: United States Coast Guard
Commanding Officer
5505 Robin Hood Road, Suite K
Norfolk, Virginia 23513

AGENT: US Army Corps of Engineers
Environmental Resources Section
Attn: Ms. Emily Hughes
69 Darlington Avenue
Wilmington, NC 28403

Authority

The Corps evaluates this application and decides whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of the following Statutory Authorities:

- ☒ Section 404 of the Clean Water Act (33 U.S.C. 1344)
- ☒ Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403)
- ☒ Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413)

Location

Directions to Site: The project site is located within the existing US Coast Guard Sector Field Office Fort Macon mooring basin, in Atlantic Beach, Carteret County, North Carolina. From Morehead City, travel west on US Highway 70 (Arendell Street) to South 24th Street, turn left to take the Atlantic Beach Bridge over Bogue Sound, continue on Atlantic Beach Causeway and make a left at the stoplight onto NC Highway 58 (East Fort Macon Road), continue for approximately 3.3 miles, the project site is on the left, just before Fort Macon State Park.

Project Area (acres): 19 acres

Nearest Town: Atlantic Beach

Nearest Waterway: Fort Macon Creek

River Basin: White Oak

Latitude and Longitude: 34.69761N, -76.68371W

Existing Site Conditions

The project site is located within the existing US Coast Guard Sector Field Office Fort Macon mooring basin. The site contains existing infrastructure including a road network, utility lines, a boat ramp, boat slips, parking areas, and multiple structures.

The site is bordered to the north by Morehead City Channel, to the south by Onslow Bay, to the west by a salt marsh, and by the Fort Macon Visitor and Education Center to the east. Topography is characterized as relatively flat terrain with elevation at an average of 4 feet above mean high sea level.

Applicant's Stated Purpose

The applicant proposes to conduct maintenance dredging in the outer mooring basin and deepen the dredge depths of the center mooring basin in order to homeport two Sentinel-class Fast Response Cutter (FRC) vessels.

Project Description

The applicant proposes to expand the previously modified, authorized dredge depth of the center basin from -14.5 feet MLW with 1.0 foot allowable over-dredge to -17 feet MLW with 2 feet over-dredge, and to maintain the entire outer basin to a depth of -22 feet + 2 feet over-dredge. The dredge depth of the inner basin would remain -12 feet + 2 feet allowable over-depth. The total proposed amount of material to be removed is approximately 44,000 cubic yards from the outer basin and 8,900 cubic yards from the central basin. Dredged material consists of sand, silt, and clay. The proposed dredge method would be by hydraulic cutterhead or by mechanical dredge (bucket to barge). Depending on the dredge method, dredged material would be piped from the dredge area to Brandt Island Disposal Area by floating pipeline, taken to an upland disposal area via truck, or loaded onto scows and transported offshore to the Morehead City Ocean Dredged Material Disposal Site (ODMDS).

The US Environmental Protection Agency in accordance with Section 103(c) of the Marine Protection, Research, and Sanctuaries Act, as amended issued concurrence dated March 9, 2018 for the U.S. Coast Guard Station at Fort Macon to utilize the Morehead City ODMDS, based on conditions and restrictions established pursuant to Sections 102(a) [environmental criteria] and Section 102(c) [disposal site designation and management] of the Act. This concurrence expires March 9, 2021.

Avoidance and Minimization

The applicant provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The mooring basin has been historically dredged as authorized by previous Department of the Army (DA) authorizations. The first authorization was in 2005, with later modifications in 2012, 2015, and 2017. Dredging activities last occurred within the project area in 2012. The previous authorizations contained special conditions such as restricting in water work between February 1 and July 31 to protect anadromous fish, requiring compliance with Manatee Guidelines, and a section 401 water quality certification, along with a number of other special conditions referenced in the most recent permit modification request (attached). The applicant is asking for advanced moratorium relief for both mechanical and pipeline dredge methods, based on the lack of presence of anadromous fish within the mooring basin. A revised moratorium of April 1-July 31 is proposed at this time. The applicant otherwise proposes to conduct the work in accordance with the previously authorized projects.

Compensatory Mitigation

The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: Compensatory mitigation is not proposed based on the nature and location of the work proposed.

Essential Fish Habitat

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, this Public Notice initiates the Essential Fish Habitat (EFH) consultation requirements. The Corps' initial determination is that the proposed project may affect, but not likely to adversely affect EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

Cultural Resources

Pursuant to Section 106 of the National Historic Preservation Act of 1966, Appendix C of 33 CFR Part 325, and the 2005 Revised Interim Guidance for Implementing Appendix C, the District Engineer consulted district files and records and the latest published version of the National Register of Historic Places and initially determines that:

- ☐ Should historic properties, or properties eligible for inclusion in the National Register, be present within the Corps' permit area; the proposed activity requiring the DA permit (the undertaking) is a type of activity that will have no potential to cause an effect to an historic properties.
- ☒ No historic properties, nor properties eligible for inclusion in the National Register, are present within the Corps' permit area; therefore, there will be no historic properties affected. The Corps subsequently requests concurrence from the SHPO (or THPO).
- ☐ Properties ineligible for inclusion in the National Register are present within the Corps' permit area; there will be no historic properties affected by the proposed work. The Corps subsequently requests concurrence from the SHPO (or THPO).
- ☐ Historic properties, or properties eligible for inclusion in the National Register, are present within the Corps' permit area; however, the undertaking will have no adverse effect on these historic properties. The Corps subsequently requests concurrence from the SHPO (or THPO).
- ☐ Historic properties, or properties eligible for inclusion in the National Register, are present within the Corps' permit area; moreover, the undertaking may have an adverse effect on these historic properties. The Corps subsequently initiates consultation with the SHPO (or THPO).
- ☐ The proposed work takes place in an area known to have the potential for the presence of prehistoric and historic cultural resources; however, the area has not been formally surveyed for the presence of cultural resources. No sites eligible for inclusion in the National Register of Historic Places are known to be present in the vicinity of the proposed work. Additional work may be necessary to identify and assess any historic or prehistoric resources that may be present.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

Endangered Species

Pursuant to the Endangered Species Act of 1973, the Corps reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information:

- ☐ The Corps determines that the proposed project would not affect federally listed endangered or threatened species or their formally designated critical habitat.

- ☒ The Corps determines that the proposed project may affect, not likely to adversely affect federally listed endangered or threatened species or their formally designated critical habitat. The Corps initiates consultation under Section 7 of the ESA and will not make a permit decision until the consultation process is complete.
- ☐ The Corps is not aware of the presence of species listed as threatened or endangered or their critical habitat formally designated pursuant to the Endangered Species Act of 1973 (ESA) within the project area. The Corps will make a final determination on the effects of the proposed project upon additional review of the project and completion of any necessary biological assessment and/or consultation with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service.

Other Required Authorizations

The Corps forwards this notice and all applicable application materials to the appropriate State agencies for review.

North Carolina Division of Water Resources (NCDWR): The Corps will generally not make a final permit decision until the NCDWR issues, denies, or waives the state Certification as required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice, combined with the appropriate application fee, at the NCDWR Central Office in Raleigh constitutes initial receipt of an application for a 401 Certification. A waiver will be deemed to occur if the NCDWR fails to act on this request for certification within sixty days of receipt of a complete application. Additional information regarding the 401 Certification may be reviewed at the NCDWR Central Office, 401 and Buffer Permitting Unit, 512 North Salisbury Street, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for a 401 Certification should do so, in writing, by NOVEMBER 29, 2018 to:

NCDWR Central Office
Attention: Ms. Karen Higgins, 401 and Buffer Permitting Unit
(USPS mailing address): 1617 Mail Service Center, Raleigh, NC 27699-1617

North Carolina Division of Coastal Management (NCCDM):

- ☒ The application did not include a certification that the proposed work complies with and would be conducted in a manner that is consistent with the approved North Carolina Coastal Zone Management Program. Pursuant to 33 CFR 325.2 (b)(2) the Corps cannot issue a Department of Army (DA) permit for the proposed work until the applicant submits such a certification to the Corps and the NCCDM, and the NCCDM notifies the Corps that it concurs with the applicant's consistency certification. As the application did not include the

consistency certification, the Corps requests, via this Public Notice, concurrence or objection from the NCDCM.

- ☐ Based upon all available information, the Corps determines that this application for a Department of Army (DA) permit does not involve an activity which would affect the coastal zone, which is defined by the Coastal Zone Management (CZM) Act (16 U.S.C. § 1453).

Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

Commenting Information

The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidated State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

The Corps of Engineers, Wilmington District will receive written comments pertinent to the proposed work, as outlined above, until 5pm, November 29, 2018. Comments should be submitted to Ms. Liz Hair, Wilmington Regulatory Field Office, 69 Darlington Avenue, Wilmington, North Carolina 28403 , at (910) 251-4049.



DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
69 DARLINGTON AVENUE
WILMINGTON, NORTH CAROLINA 28403-1343

October 11, 2018

Environmental Resources Section

U.S. Army Engineer District, Wilmington
Corps of Engineers
Regulatory Division
ATTN: Ms. Liz Hair
69 Darlington Avenue
Wilmington, North Carolina 28403

Dear Ms. Hair:

On behalf of the U.S. Coast Guard, the U.S. Army Corps of Engineers, Environmental Resources Section, is requesting a permit modification to the existing Department of the Army permit SAW-2005-00748 for maintenance dredging of the mooring basin at the U.S. Coast Guard Station Fort Macon. Activities proposed are within navigable waters abutting the Morehead City Harbor Channel, Range B, within Bogue Sound, Carteret County, North Carolina.

As you are aware, the maintenance of safe navigation in federal channels is essential to the U.S. Coast Guard's mission to ensure our Nation's maritime safety, security, and stewardship. Maintenance activities will be undertaken in compliance with all conditions of applicable state and federal authorizations.

Thank you for your immediate attention to this matter. Should you have any questions or require additional information, please contact Ms. Emily Hughes by telephone at (910) 251-4635 or by email at Emily.b.hughes@usace.army.mil.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jennifer L. Owens", is located below the "Sincerely," text.

Jennifer L. Owens
Chief, Environmental Resources Section

Action ID: SAW-2005-00748

**Project Name: U.S. Coast Guard Fort Macon Mooring Basin
Request for Permit Modification (#3)**

The United States Coast Guard (USCG) is seeking a modification to the existing Department of the Army (DA) permit SAW-2005-00748 to dredge within the mooring basin of the USCG Station Fort Macon in waters within Bogue Sound, in the White Oak River basin, Atlantic Beach, Carteret County, North Carolina (see Figure 1, project location map). The proposed project updates include dredging of the outer basin to -22' + 2' overdepth Mean Low Water (MLW) and increased dredge depths of the center basin from -14.5' to -17' + 2' overdepth MLW, as well as additional methods of dredging and dredged material placement options. The USCG is requesting authorization to perform work on an as-needed basis for a ten-year period through 2028.

Project Purpose

The U.S. Coast Guard (USCG) Sector Field Office (SFO) Fort Macon intends to deepen its existing mooring basin in order to safely homeport two SENTINEL-class Fast Response Cutter (FRC) vessels. In early 2018, the 154'-long FRCs (with a 26' beam), replaced two existing 110' Island-Class patrol boats (with a 21' beam) and are currently homeported at SFO Fort Macon. The purpose of the proposed action is to accommodate the berthing of the FRC vessels in order to provide the best possible coastal homeland security and law enforcement. To maneuver these new vessels within the basin effectively in times of emergency, requires dredging within the outer basin area and dredging to deeper depths within the center basin area (see Figure 2, project area map).

The USCG has previously requested and received approval for work to be conducted within the small boat basin and the center boat basin by mechanical dredge (clamshell bucket and barge) with dewatering on site and truck hauling material to an approved upland disposal site. To increase flexibility of dredging options and to lower project costs, the USCG is seeking approvals to dredge in the center and outer basins by means of a hydraulic cutter suction dredge with pumping of material to an approved upland disposal area. Currently, the nearest approved upland disposal facility for this material is Brandt Island, owned by the State of North Carolina and located approximately one mile northwest of the Station.

The USCG and US Army Corps of Engineers, Civil Works (Corps) share a similar mission to maintain and safeguard federal navigation channels. The Corps solicits and awards contracts for maintenance dredging of the Atlantic Intracoastal Waterway (AIWW) annually by cutter suction (pipeline) dredge, and it is more economically feasible for the USCG to "piggyback" on these contracts rather than solicit their own individual contract. Pipeline dredging can remove up to 10,000-15,000 cubic yards (CYs) of material a day versus a bucket and barge dredge, which typically removes much less material a day, depending upon bucket size and material composition, making pipeline dredging the more desirable dredge method when larger quantities need to be removed.

Existing Conditions

The USCG Station Fort Macon is a 19-acre facility that was established in the mid-1960s. The Station's basin consists of an inner (small boat basin), center and outer basin at ranging depths to accommodate different sized vessels. The unconsolidated bottom of the basin consists of sandy, silty and organic materials, unsuitable for beach placement. The site is located adjacent to Range B of the Morehead City Harbor Federal Navigation Channel and west of the Fort Macon Visitor and Education Center.

The inner basin is an approximately 175' x 275' area that is currently authorized to a depth of -12' + 2' overdepth MLW. Material was tested in 2008 and determined to have traces of grease, oil and arsenic, and therefore deemed unacceptable by the State of North Carolina for placement into the Brandt Island upland disposal facility. In 2012, the Corps Regulatory Office, Wilmington District, completed the final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) and issued Individual Permit SAW-2005-00748 for the USCG to maintain the inner basin at -12' + 2' with a mechanical dredge (bucket and barge) and dewater the material in a contained cell on site. Dewatered dredged material could then be hauled offsite by truck to an approved landfill. Maintenance dredging of the inner basin was last completed in 2012.

The center basin is located due north of the inner basin and has a 350' concrete bulkhead on the east side where two FRCs are to be homeported. The center basin is currently shoaled in to a depth of -10' to -12', allowing only one FRC to moor along the bulkhead where waters are deepest (-14' to -15'). The second FRC is temporarily moored at the vacant outer basin dock while the SFO awaits the new CG Cutter "Maple," which is scheduled to arrive in late 2018. Once the Maple arrives, the second FRC will have to find an alternate (offsite) location until maintenance dredging can occur.

The outer basin is a 500' by 1,000' area (approximately) that extends to the federally maintained Range B channel of the Morehead City Harbor project. The outer basin acts as a turning basin for USCG vessels to pull in and back out of the basins safely. A ~500' by 500' portion of this area was previously dredged to -22' via pipeline in 2006 and material was pumped to Brandt Island. This was authorized under Nationwide permits 23 (Categorical Exclusion) and 16 (Dewatering). No maintenance dredging has been performed since this time and surveys currently show water depths to be between -12' and -22' in this area.

Project History

In April 2005, the Corps, Civil Works, on behalf of the USCG, completed an EA/FONSI titled "Maintenance Dredging of US Coast Guard Station Fort Macon, North Carolina". The EA assessed impacts to environmental resources related to the following dredging area locations and depths:

Small Boat Basin – 12' + 2' overdepth
Center Boat Basin – 20' + 2' overdepth
Outer Boat Basin – 25' 2' overdepth

As mentioned above, the initial permit for dredging the outer basin was issued in 2005 under Nationwide permits 23 and 16. The identified area of dredging included 500' x 500' of the outer basin to a depth of -22'. The Corps solicited a pipeline contract to maintain the AIWW channel and inlet crossings and with it the USCG SFOs Southport and Fort Macon were also included. Cottrell Contracting Corporation was awarded the contract and removed 66,400 cubic yards of material from the outer basin (before and after dredge surveys dated April 2006 and May 2006 are available by request). All dredged material was pumped to Brandt Island.

In 2011, the USCG applied for an Individual Permit to dredge the small boat basin to a depth of 12' + 2' by means of mechanical dredge (clamshell bucket and barge), contain and dewater the material onsite and dispose of it in an upland landfill. The Corps Regulatory Office issued Individual Permit SAW-2005-00748 on February 3, 2012 to dredge the 2.2 acre area on an as-needed basis for a period of ten years. The inner basin was dredged in the fall of 2012. The contractor used a clamshell bucket attached to a crane on a floating equipment barge and loaded dredged material onto a scour barge. Dredged material was offloaded from the barge to an upland dewatering cell developed onsite, dewatered, and trucked to an authorized upland disposal site.

In August 2013, the USCG completed the EA titled "Homeporting of Two Fast Response Cutters, US Coast Guard Fort Macon" which analyzed impacts associated with dredging the center and outer basins to depths of -14.5' + 1' (preferred) and -17.5' + 1' (alternate) to accommodate two new SENTINEL-Class cutters. In 2016, The USCG requested a permit modification to Individual Permit 2005-00748 to increase the footprint of dredging in the small boat basin from 2.2 acres to 2.7 acres and to increase the depth in the center basin from -12.0' to a new authorized depth of -14.5' + 1' overdepth. The proposed dredging method was similar to the previous permit request: mechanical dredge (clamshell bucket and barge), contain and dewater the material onsite and truck it to an authorized upland disposal site.

On September 14, 2017, the Corps Regulatory Office issued a permit modification to dredge the 2.7 acre area to the requested depth of -14.5' + 1' overdepth by mechanical dredge. A Biological Evaluation dated August 29, 2017 determined no significant impacts to listed threatened and endangered species if done in accordance with specific permit conditions.

Proposed Action

The USCG proposes to modify the existing permit (SAW- 2005-00748) from a previously permitted depth in the center basin of -14.5' + 1' overdepth MLW to a new authorized depth of -17' + 2' overdepth MLW. In addition, the USCG wishes to maintain the entire outer basin to a depth of -22' + 2'. The dredge footprint would adjust based on shoaling rates in this area. The small boat basin is not proposed to be dredged deeper than the currently authorized depth of -12' + 2' overdepth.

Sediment from the center and outer boat basins has been tested and contains fine-grained material at a quantity greater than 10%, and therefore is not compatible for beach placement.

According to data from 2017 sediment sampling/coring, material is, on average, 59% sand, 24% silt and 17% clay. USCG Fort Macon is proposing to conduct maintenance dredging of the center and outer basins this dredge season (2018-19) via pipeline dredge with disposal in Brandt Island by means of the Corps FY19 AIWW Maintenance Dredging Contract. Future maintenance dredging events will occur on an as-needed basis either by means of contracted pipeline or mechanical dredge. The USCG is requesting a ten-year authorization to be effective through 2028.

Pipeline Dredge and Dredged Material Placement

Pipeline dredging will occur as needed and simultaneously with the Corps' AIWW maintenance dredging contracts. The dredge for this project is typically a smaller-sized dredge with an 18-24" cutterhead and is not ocean certified. Floating pipe will be assembled and travel from the basin area to Brandt Island. Brandt Island is managed by the North Carolina State Ports Authority (NCSPA) and the USCG has sought and received approval from the NCSPA to place dredged material here for the 2018-2019 dredging. The USCG will obtain approval from NCSPA prior to any future placement of dredged material in Brandt Island through 2028.

Mechanical Dredge and Dredged Material Placement

Mechanical dredging would likely be accomplished via floating crane equipment barge and scour barge. A clamshell bucket attached to a crane on the equipment barge would scoop up sediment from the basin floor and transfer the dredged material to the scour barge until the desired depth is achieved. Dredged material would then be either a) offloaded from the barge to an upland dewatering containment area developed at a suitable location, dewatered, and trucked to an authorized upland disposal site; or b) loaded onto scows and transported offshore to the Morehead City ODMDS. Special terms and conditions for this activity have been identified in the DA permits SAW-2005-00748 dated February 3, 2012 and September 14, 2017.

Minimization Measures

The USCG proposes to avoid and minimize impacts to Waters of the U.S. by only dredging within areas of the small, center and outer basins to depths that are required to maintain a safe, effective and efficient mooring basin for the sized oars that are homeported there. Dredging impacts are temporary and of short duration, therefore compensatory mitigation is not being proposed. However, based on prior permitting requirements under SAW-2005-00748, the USCG will implement the following protection measures to minimize adverse impacts to waters and the environment:

- For the protection of anadromous fish and Atlantic and shortnose sturgeon, restrictions have been placed on in-water work to August 1 – January 31. If dredging is to occur between February 1 and July 31, the USCG must request relief from the NC Division of Coastal Management/Marine Fisheries.
- USFWS Guidelines for Avoiding Impacts to the West Indian Manatee
- All discharging return water from the upland facility will have a turbidity value of less than 25 NTU.

- Turbidity curtains will be used during all mechanical dredging. Turbidity curtains will be made of material in which listed species cannot become entangled (i.e. reinforced impermeable polycarbonate vinyl fabric (PVC)), and shall be monitored to ensure listed species are not entangled or trapped in the action area. Turbidity curtains will be removed promptly when the work is complete and the water quality in the action area has returned to background conditions.
- During August 1 – October 31, mechanical dredging will be conducted during daylight hours (12 hours/day) only in order to decrease use of artificial lighting.
- All vessels will comply with Federal laws governing ship approach to North Atlantic right whale, including the Ship Strike Reduction Rule for the Mid-Atlantic U.S. Seasonal Management Area.
- The USCG will ensure adherence to all conditions outlined by the NC Division of Coastal Management regarding Federal Consistency Concurrence C11-062 letter dated 31 October 2011.
- The USCG will ensure adherence to all conditions outlined by the NC Department of Water Resources (DWR) regarding 401 Water Quality Certification Approval (GC #3872/Project #2011-0905) dated 14 November 2011 and GC 4137 for Return Water from Upland Contained Disposal Areas.

Based on the project location, type of work, temporary nature of the work and short-term duration of the project, environmental impacts are expected to be minimal. Taking the above protection measures into consideration, it is believed that the proposed project will not likely adversely affect the following federally listed species or their critical habitat: Sea turtles (Loggerhead, Green, Kemp's Ridley, Leatherback, Hawksbill) Atlantic sturgeon, shortnose sturgeon, West Indian Manatee, North Atlantic Right Whale.

This conclusion has resulted from information provided within the Regulatory's Biological Evaluation document dated 29 August 2017 (attached) and information in the Southeast Area Regional Biological Opinion (SARBO) dated 25 September 1997 and SARBO continuance letter date 21 March 2014.

Request for Relief from In-Water Work Moratorium (February 1 – July 31)

The USCG is requesting, in advance, relief from the February 1 – July 31 in-water work moratorium that may be placed on this project for pipeline dredging in the center and outer basins. This moratorium exists under permit SAW-2005-00748 for mechanical dredging, and the USCG wishes to have this adjusted as well. Based on information provided by Fritz Rhode, NOAA Fisheries (10/10/18 telecommunications), sturgeon and other anadromous fish do not inhabit the USCG Fort Macon Station area. For purposes of providing a more flexible work schedule at a more affordable cost, a revised moratorium of April 1 – July 31 is being requested for both pipeline and mechanical dredge activity.

Conclusion

Not dredging the USCG Fort Macon mooring basin to desired depths would result in continued shoaling of the project area. Without suitable navigation/maneuvering depths in the basins, the USCG would be unable to execute its mission from the Fort Macon Station. The USCG wishes to include the outer boat basin as part of the authorized impacts to the same depth that was previously permitted in 2006. Hydraulic cutter suction will be the favored method of dredging the center and outer basins and impacts are expected to be minimal and temporary. Maintenance dredging of high spots may occur throughout the mooring basin in the future by means of mechanical dredge; all material from the small boat basin will be dewatered and disposed into a landfill while other dredged material is placed into an upland disposal facility. A permit extension of ten years is being requested to maintain USCG navigation through 2028.



Google earth

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Data SIO, NOAA, U.S. Navy, NGA, GEBCO

Figure 1. Project Location Map

Figure 2. Project Area Map

